

UTILITY PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

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In Re Application of: Martin C. Baker Art Unit: Unknown  
Serial No.: To be assigned Examiner: Unknown  
Filed: Filed concurrently herewith Attny. Docket No.: H0005486  
For: HAND-HELD LASER WELDING WAND FILLER MEDIA DELIVERY  
SYSTEMS AND METHODS

**INFORMATION DISCLOSURE STATEMENT**

Mail Stop Patent Application  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Commissioner:

In accordance with 37 C.F.R. 1.56 and in a manner prescribed by 37 C.F.R. 1.97 and 1.98, this Information Disclosure Statement IDS is being submitted herewith for consideration by the United States Patent and Trademark Office.

I. **CONTENT**

This IDS includes:

- A list of all patents, publications, applications, or other information submitted for consideration by the Office on PTO form SB/08A, which is included herewith;
- A legible copy of: (i) each U.S. patent application publication and U.S. and foreign patent; (ii) each publication or that portion which caused it to be listed; and (iii) each cited pending U.S. application, the application specification including claims, and any drawing of the application, or that portion of the application which caused it to be listed including any claims directed to that portion; and (iv) all other information or that portion which caused it to be listed, unless subsequently provided in this IDS.

II. CONCISE EXPLANATION OF THE RELEVANCE (check at least one box)

- Except as may be subsequently indicated in this section II, a concise explanation is not required as all of the patents, publications, applications or other information are in the English language, or the degree of relevance of each is indicated in the English language version of the International Search Report, which accompanies this IDS.
- A concise explanation of the relevance, as it is presently understood by the individual designated in 1.56(a) most knowledgeable about the content of the information, of all patents, publications, applications or other information listed that is not in the English language.
- A copy of the translation of a non-English Language document, or portion thereof. (e.g., a translation of an abstract)
- Any patent, publication, pending U.S. application or other information that is listed on PTO form SB/08A, which are not enclosed herewith were previously cited by or submitted to the Office in one of the following applications that has been relied on for an earlier effective filing date under 35 U.S.C 120 and the IDS submitted in the earlier application complies with paragraphs (a) through (c) of 1.98:

U.S. Application Serial No.	U.S. Filing Date

III. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(b): (check one box)

- Within three months of the filing date of a national application other than a continued prosecution application under 1.53(d).
- Within three months of the date of entry of the national stage as set forth in 1.491 in an international application.
- Before the mailing date of a first Office Action on the merits. In the event that a first Office Action on the merits has been mailed, please consider this IDS under 37 C.F.R. 1.97(c) and see the statement under 1.97(e) or charge deposit account 50-2091 the fee specified by 37 C.F.R. 1.17(p) if such statement is not selected in Section VI.
- Before the mailing of a first Office Action after the filing of a request for continued examination under 1.114.

IV. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(c):

- After the period specified in 27 C.F.R. 1.97(b) and before the mailing date of any of a final action under 1.113, a notice of allowance under 1.311 or an action that otherwise closes prosecution in the application, and accompanied by:
  - a statement specified in 1.97(e) as subsequently provided in this IDS; or
  - the fee set forth in 1.17(p).

V. THIS IDS IS BEING FILED UNDER 37 C.F.R. 1.97(d):

- After the period specified in 27 C.F.R. 1.97(c) and on or before the payment of the issue fee, and it is accompanied by a statement specified in 1.97(e) as subsequently provided in this IDS and the fee set forth in 1.17(p).

VI. Statement under 37 C.F.R. 1.97(e) (check only one box)

The undersigned hereby states that:

- Each item of information contained in the IDS was first cited in any communication from a foreign patent office in a counterpart foreign application not more than three months prior to the filing of this IDS.
- No item of information contained in the IDS was cited in a communication from a foreign patent office in a counterpart foreign application, and, to knowledge of the person signing the certification after making reasonable inquiry, no item of information contained in the IDS was known to any individual designated in 37 C.F.R. 1.56(c) more than three months prior to the filing of this IDS.

VII. PAYMENT OF FEES (check one box)

- A check in the amount of \$\_\_\_\_\_ is enclosed for fees due with respect to this IDS.
- Please charge Deposit Account No.\_\_\_\_ in the amount of \$\_\_\_\_\_ for the fees due with respect to this IDS. A duplicate copy of this paper is included with this IDS.

VIII. CONCLUSION

It is respectfully submitted that the claims presently on file patently distinguish the present invention from each of these references cited in this IDS. The references cited in this IDS are being cited only in the interests of candor and without any admission that they constitute statutory prior art or contain matter which anticipates the invention or which would render the same obvious, either singly or in a combination, to a person of ordinary skill in the art. Furthermore the filing of this IDS should not be construed to be an admission that the information cited in this IDS is, or is considered to be, material to patentability as defined in 1.56(b). In addition, the filing of this IDS should not be construed as a representation that a search has been made.

If the Examiner has any questions concerning this IDS, the Examiner is requested to contact the undersigned at the telephone number associated with Customer No. 29906. If it is determined that this IDS has been filed under the wrong rule, the PTO is requested to consider this IDS under the proper rule, with a petition if necessary, and charge the appropriate fee to Deposit Account No. 50-2091.

Please charge any additional fees or credit any overpayment related to this IDS to Deposit Account No. 50-2091.

Date: 11/13/03

Respectfully submitted,

By:

Paul D. Amrozowicz  
Reg. No. 45,264

**Ingrassia Fisher & Lorenz, P.C.**  
Customer No. 29906

- Enclosures:  PTO-SB/08A  
 References  
 Foreign Search Report  
 Fee  
 Other:

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

Substitute for form 1449/PTO				<i>Complete if Known</i>	
<b>INFORMATION DISCLOSURE STATEMENT BY APPLICANT</b> <i>(use as many sheets as necessary)</i>				Application Number	To be assigned
				Filing Date	Filed concurrently herewith
				First Named Inventor	Martin C. Baker
				Art Unit	Unknown
				Examiner Name	Unknown
Sheet	1	of	1	Attorney Docket Number	H005486

## **U.S. PATENT DOCUMENTS**

Examiner Initials*	Cite No. <sup>1</sup>	Document Number	Publication Date MM-DD-YYYY	Name of Patentee or Applicant of Cited Document	Pages, Columns, Lines, Where Relevant Passages or Relevant Figures Appear
		Number - Kind Code <sup>2</sup> (if known)			
		US-2,851,581	09/09/1958	Libby	
		US-4,237,364	12/02/1980	Lemelson	
		US-4,564,736	01/14/1986	Jones et al.	
		US-4,665,529	05/12/1987	Baer et al.	
		US-4,676,586	06/30/1987	Jones et al.	
		US-4,704,030	11/03/1987	Steen et al.	
		US-4,724,299	02/09/1988	Hammeka	
		US-4,726,715	02/23/1988	Steen et al.	
		US-4,777,341	10/11/1988	Steen et al.	
		US-4,803,335	02/07/1989	Steen et al.	
		US-4,804,815	02/14/1989	Everett	
		US-4,814,575	03/21/1989	Petitbon	
		US-4,906,812	03/06/1990	Nied et al.	
		US-4,997,250	03/05/1991	Ortiz, Jr.	
		US-5,272,716	12/21/1993	Soltz et al.	
		US-5,321,228	06/14/1994	Krause et al.	
		US-5,365,032	11/15/1994	Muller et al.	
		US-5,453,329	09/26/1995	Everett et al.	
		US-5,477,025	12/19/1995	Everett et al.	
		US-5,548,604	08/20/1996	Toepel	
		US-5,556,560	09/17/1996	Ahola et al.	
		US-5,653,381	08/05/1997	Azdasht	
		US-5,760,362	06/02/1998	Eloy	
		US-5,993,550	11/30/1999	Eloy	
		US-6,369,353 B1	04/09/2002	Soska	

## **FOREIGN PATENT DOCUMENTS**

<b>Examiner Signature</b>		<b>Date Considered</b>	
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Examiner: Initial if reference considered, whether or not citation is in conformance with MPEP 609. Draw line through citation in not in conformance and not considered. Include copy of this form with next communication to applicant. \*Applicant's unique citation designation number (optional). \*See Kinds Codes of USPTO Patent Documents at [www.uspto.gov](http://www.uspto.gov) or MPEP 901.04. \*Enter Office that issued the document, by the two-letter code (WIPO Standard ST.3). \*For Japanese patent documents, the indication of the year of the reign of the Emperor must precede the serial number of the patent document. \*Kind of document by the appropriate symbols as indicated on the document under WIPO Standard ST. 16 if possible. \*Applicant is to place a check mark here if English language Translation is attached. This collection of information is required by 37 CFR 1.97 and 1.98. The information is required to obtain or retain a benefit by the public which is to file (and by the USPTO to process) an application. Confidentiality is governed by 35 U.S.C. 122 and 37 CFR 1.14. This collection is estimated to take 2 hours to complete, including gathering, preparing, and submitting the completed application form to the USPTO. Time will vary depending upon the individual case. Any comments on the amount of time you require to complete this form and/or suggestions for reducing this burden, should be sent to the Chief Information Officer, U.S. Patent and Trademark Office, Washington, DC 20231. DO NOT SEND FEES OR COMPLETED FORMS TO THIS ADDRESS. SEND TO: Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.